

Melody A. Jones 44,175
Name of Attorney or Agent Registration No.
Melody A. Jones
Signature of Attorney or Agent

1761 #5
12/12/02
REC'D
FEB 15 2002
P&G Case 81004

P&G Case 81001

In the application of :
Lee Michael Teras, et al. : Confirmation No. 5006
Serial No. 09/864,834 : Group Art Unit: 1761
Filed: May 24, 2001 : Examiner: Not Yet Assigned

For METHOD FOR CONSTRAIN-FRYING SNACK PIECES HAVING INTACT SURFACE
BUBBLING

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☐ 37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ 37 C.F.R. §1.97 (b)(2) - **Via PCT (within 3 mo. of Nat'l Stage Entry)**

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

3. ☒ 37 C.F.R. §1.97 (b)(3) - (>3 mo. after filing direct or nat'l stage entry, but before 1st O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO (2) OR (3) MARKED WITH AN (X) ABOVE.

(a) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed.

(c) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4. ☐ 37 C.F.R. §1.97 (b)(4) - (before the mailing of a first Office Action after the filing of a request for continued examination under §1.114)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(4), is being filed with the Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

5. ☐ Information to be Considered with CPA Filing. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 CFR 1.53(d).

6. ☐ 37 C.F.R. §1.97(c) with fee payment - (use after 1st Office Action & before Final Office Action or Notice of Allowance)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte*

Quayle) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter is enclosed to facilitate the charging of the fee.

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

☐ (1) Copies of the cited references were previously cited by or submitted to the USPTO in prior application Case No. ____, U.S. Patent Application Serial No. __, filed __. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of those documents are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d).

OR

☒ (2) Copies of the cited documents are enclosed.

OR

☐ (3) Copies of all said documents, except document No.'s ____, were submitted and considered in parent application U.S. Patent Application Serial No. ____, filed _____. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s ____ are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of document No.'s ____ are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

☐ (4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☒ (5) Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page.

☐ Additional information is attached.

Respectfully submitted,

By Melody A. Jones
Melody A. Jones
Attorney for Applicants
Registration No. 44,175
(513) 634-6944

Date: January 25, 2002

Customer No. 27752

COPENDING APPLICATIONS

Entire copies of all co-pending applications (or the portion of the application and claims that caused it to be cited) must be sent with the IDS (see 37 CFR 1.98(a)(2)(iii))

<u>Atty. Docket No.</u>	<u>Serial Number</u>	<u>Inventor(s)</u>	<u>Filing Date</u>
8094M	09/865,074	Zimmerman, et al.	May 24, 2001
8095MX	09/865,073	Lanner, et al.	May 24, 2001
8096MX	09/866,012	Zimmerman, et al.	May 24, 2001
8097M	09/866,007	Lanner, et al.	May 24, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

FEB 12 2002

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

SHEET 1 of 4

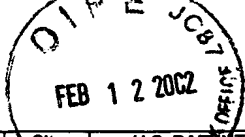
COMPLETE IF KNOWN

Application Number	09/864,834
Confirmation Number	5006
Filing Date	May 24, 2001
First Named Inventor	Lee Michael Teras
Group Art Unit	1761
Examiner Name	Not Yet Assigned
Attorney Docket Number	8100M

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U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	U.S. PATENT DOCUMENT Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		2,603,143		Saenz	Jul. 15, 1952	
		2,704,257		De Sollano, et al.	Mar. 15, 1955	
		2,905,559		Anderson, et al.	Sep. 22, 1959	
		3,131,063		Gerkens	Apr. 28, 1964	
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		3,194,664		Eytinge	Jul. 13, 1965	
		3,368,902		Berg	Feb. 13, 1968	
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		3,519,432		Succo, et al.	Jul. 7, 1970	
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		3,626,466		Liepa	Dec. 7, 1971	
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		3,690,895		Amadon, et al.	Sep. 12, 1972	
		3,872,752		Remde, et al.	Mar. 25, 1975	
		3,899,602		Rutenberg, et al.	Aug. 12, 1975	
		3,905,285		Campbell, et al.	Sep. 16, 1975	
		3,935,322		Weiss, et al.	Jan. 27, 1976	
		3,940,505		Nappen, et al.	Feb. 24, 1976	
		3,966,983		Dexter, et al.	Jun. 29, 1976	
		3,977,897		Wurzburg, et al.	Aug. 31, 1976	
		4,017,460		Tessler	Apr. 12, 1977	
		4,032,664		Weiss, et al.	Jun. 28, 1977	
		4,048,435		Rutenberg, et al.	Sep. 13, 1977	
		4,098,997		Tessler	Jul. 4, 1978	
		4,108,033		Bembenek	Aug. 22, 1978	
		4,112,222		Jarowenko	Sep. 5, 1978	
		4,126,706		Hilton	Nov. 21, 1978	
		4,205,601		Velasco, Jr.	Jun. 3, 1980	
		4,207,355		Chiu, et al.	Jun. 10, 1980	
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		4,254,699		Skinner, et al.	Mar. 10, 1981	
		4,299,857		Velasco, Jr.	Nov. 10, 1981	
		4,312,892		Rubio	Jan. 26, 1982	
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		4,348,166		Fowler	Sep. 7, 1982	
		4,363,575		Wisdom, et al.	Dec. 14, 1982	
		4,381,703		Crimmins, et al.	May 3, 1983	
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		4,427,643		Fowler	Jan. 24, 1984	
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		4,513,018		Rubio	Apr. 23, 1985	
		4,560,569		Ivers	Dec. 24, 1985	
		4,567,051		Baker, et al.	Jan. 28, 1986	
		4,586,888		Anderson	May 6, 1986	
		4,608,264		Fan, et al.	Aug. 26, 1986	



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EXAMINER INITIALS*	Cite Number ¹	U.S. PATENT DOCUMENT Number (if known) ²	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		4,623,548	Willard	Nov. 18, 1986	
		4,623,550	Willard	Nov. 18, 1986	
		4,645,679	Lee, III, et al.	Feb. 24, 1987	
		4,650,687	Willard, et al.	Mar. 17, 1987	
		4,735,811	Skarra, et al.	Apr. 5, 1988	
		4,756,920	Willard	Jul. 12, 1988	
		4,769,253	Willard	Sep. 6, 1988	
		4,770,891	Willard	Sep. 13, 1988	
		4,778,690	Sadel, Jr., et al.	Oct. 18, 1988	
		4,806,377	Ellis, et al.	Feb. 21, 1989	
		4,834,996	Fazzolare, et al.	May 30, 1989	
		4,859,248	Thaler, et al.	Aug. 22, 1989	
		4,861,609	Willard, et al.	Aug. 29, 1989	
		4,869,911	Keller	Sep. 26, 1989	
		4,873,093	Fazzolare, et al.	Oct. 10, 1989	
		4,931,303	Holm, et al.	Jun. 5, 1990	
		4,965,081	Lazarus	Oct. 23, 1990	
		4,978,548	Cope, et al.	Dec. 18, 1990	
		4,985,269	Irvin, et al.	Jan. 15, 1991	
		4,994,295	Holm, et al.	Feb. 19, 1991	
		5,030,468	Van Lengerich, et al.	Jul. 9, 1991	
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		5,395,637	Reec	Mar. 7, 1995	
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		5,409,542	Henley, et al.	Apr. 25, 1995	
		5,429,834	Addesso, et al.	Jul. 4, 1995	
		5,435,851	Kasica, et al.	Jul. 25, 1995	
		5,470,599	Ruhe	Nov. 28, 1995	
		5,500,240	Addesso, et al.	Mar. 19, 1996	
		5,532,013	Martinez-Bustos, et al.	Jul. 2, 1996	
		5,554,405	Fazzolare, et al.	Sep. 10, 1996	
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		5,580,583	Caridis, et al.	Dec. 3, 1996	
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		5,643,627	Huang, et al.	Jul. 1, 1997	
		5,652,010	Gimmler, et al.	Jul. 29, 1997	
		5,673,609	Sanchez, et al.	Oct. 7, 1997	
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		5,690,982	Fazzolare, et al.	Nov. 25, 1997	
		5,718,770	Shah, et al.	Feb. 17, 1998	
		5,720,822	Jeffcoat, et al.	Feb. 24, 1998	
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		5,846,786	Senkeleski, et al.	Dec. 8, 1998	
		5,902,410	Chiu, et al.	May 11, 1999	
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EXAMINER INITIALS*	Cite No. ¹	U.S. PATENT DOCUMENT Number ²	Kind Code ³ (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		5,904,088		Jensen, et al.	May 18, 1999	
		5,925,396		Reed, et al.	Jul. 20, 1999	
		5,928,701		Jensen, et al.	Jul. 27, 1999	
		5,932,017		Chiu, et al.	Aug. 3, 1999	
		5,954,883		Nagle, et al.	Sep. 21, 1999	
		6,001,409		Gimmier, et al.	Dec. 14, 1999	
		6,010,574		Jeffcoat, et al.	Jan. 4, 2000	
		6,022,574		Lanner, et al.	Feb. 8, 2000	
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		6,033,707		Lanner, et al.	Mar. 7, 2000	
		6,054,302		Shi, e tal.	Apr. 25, 2000	
		6,056,990		Delrue, et al.	May 2, 2000	
		6,129,939		Fink, et al.	Oct. 10, 2000	
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		6,277,423 B1		Orosa, et al.	Aug. 21, 2001	
		6,291,001 B1		Fink, et al.	Sep. 18, 2001	

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EXAMINER INITIALS*	Cite No. ¹	FOREIGN PATENT DOCUMENT Office ³ Number ⁴	Kind Code ⁵ (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		CA	1,224,357 ✓	Miller, et al.	Jul. 7, 1987		
		CA	1,270,144 ✓	Lee, III, et al.	Jun. 12, 1990		
		CA	1,327,726 ✓	Ellis, et al.	Mar. 15, 1994		
		CA	2,105,052 ✓	Villagran, et al.	Jan. 28, 1997		
		CA	2,115,410 ✓	Furcsik, et al.	Feb. 16, 1999		
		CA	2,174,816 ✓	DeCoste, et al.	Oct. 20, 1998		
		CA	2,174,824 ✓	Skarra	Oct. 20, 1998		
		CA	2,175,452 ✓	Villagran, et al.	Jan. 12, 1999		
		CA	2,181,123 ✓	Rubio, et al.	Jan. 25, 2000		
		CA	2,197,179 ✓	Ouellette, et al.	Apr. 3, 2001		
		CA	2,223,938 ✓	Jensen, et al.	Mar. 13, 1997		
		CA	2,289,489 ✓	Delrue, et al.	Nov. 19, 1998		
		CA	2,339,284 ✓	Fink, et al.	Feb. 24, 2000		
		DE	195 28 986 A1 ✓	Linde	Feb. 13, 1991		
		WO	95/05742 ✓	Cardis, et al.	Mar. 2, 1995		
		WO	95/05744 ✓	Cardis, et al.	Mar. 2, 1995		
		WO	96/01572 ✓	Dawes, et al.	Jan. 25, 1996		
		WO	97/25880 ✓	Lanner, et al.	Jul. 24, 1997		
		WO	98/00037 ✓	Villagran, et al.	Jan. 8, 1998		
		WO	99/20125 ✓	Villagran, et al.	Apr. 29, 1999		
		WO	99/33357 ✓	Gisaw, et al.	Jul. 8, 1999		
		WO	00/08950 ✓	Fink, et al.	Feb. 24, 2000		
		WO	00/75057 ✓	Bierschenk, et al.	Dec. 14, 2000		
		WO	01/37672 ✓	Orosa, et al.	May 31, 2001		

OTHER ART - NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶
		WATSON, STANLEY A., et al. - Corn: Chemistry and Technology, Chapter V. Alkaline-Cooked Products; 1987, American Association of Cereal Chemists, Inc., St. Paul, Minnesota, pp. 410-420. ✓	
		MCCAULEB, THOMAS C. - American Institute of Baking, Principle of Corn Tortilla and Chip Production Seminar. Cooking and Grinding Corn, July 21, 1998. ✓	
EXAMINER			DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.

